

**ASSEMBLY BILL**

**No. 617**

**Introduced by Assembly Member Spitzer**

February 19, 2003

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An act to amend Section 8880.28 of the Government Code, relating to the California State Lottery.

LEGISLATIVE COUNSEL'S DIGEST

AB 617, as introduced, Spitzer. California State Lottery Act.

The California State Lottery Act of 1984 places restrictions on the rule-making authority of the Lottery Commission with respect to games utilizing computer terminals or other devices. Existing law prohibits, in games utilizing computer terminals or other devices, coins and currency from being dispensed to players from those machines.

This bill would specify that coins or currency may not be dispensed as prizes to players from computer terminals or devices.

The California State Lottery Act provides that none of its provisions may be changed except to further its purpose by a bill passed by a  $\frac{2}{3}$  vote of each house of the Legislature and signed by the Governor.

This bill would declare that its provisions further the purpose of the act.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8880.28 of the Government Code is  
2 amended to read:

1 8880.28. (a) The commission shall promulgate regulations  
2 specifying the types of lottery games to be conducted by the  
3 lottery, provided:

4 (1) No lottery game may use the theme of roulette, dice,  
5 baccarat, blackjack, Lucky 7's, draw poker, slot machines, or dog  
6 racing.

7 (2) In lottery games utilizing tickets, each ticket in these games  
8 shall bear a unique number distinguishing it from every other  
9 ticket in that game; and no name of an elected official shall appear  
10 on these tickets.

11 (3) In games utilizing computer terminals or other devices, no  
12 coins or currency shall be dispensed *as prizes* to players from these  
13 computer terminals or devices.

14 (b) Notwithstanding subdivision (a), no changes in the types of  
15 games or methods of delivery of these games that incorporate  
16 technologies or mediums that did not exist, were not widely  
17 available, or were not commercially feasible at the time of the  
18 enactment of this chapter in 1984 shall be made, unless all of the  
19 following conditions are met:

20 (1) This chapter is amended by statute to expressly authorize  
21 these changes.

22 (2) The act making the amendments contains express  
23 legislative findings that the amendments are consistent with the  
24 terms of, and further the purposes of, this chapter.

25 (3) The amendments comport with applicable state and federal  
26 law.

27 (c) For purposes of this section, a change in the method of  
28 delivery means a material change in the way a consumer directly  
29 interacts with the game.

30 (d) Subdivision (b) does not apply to technological changes  
31 implemented prior to October 11, 1993.

32 (e) This section does not limit any internal technological  
33 changes made to the equipment or components utilized by the  
34 lottery.

35 SEC. 2. The Legislature finds and declares that this act  
36 furthers the purpose of the California State Lottery Act of 1984  
37 enacted by Proposition 37 of the November 6, 1984, general  
38 election.

